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PATENT

Docket No.: 4548-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Robert AMES

Confirmation No: 4862

U.S. Patent Application No. 10/813,049

Group Art Unit: 3679

Filed: March 31, 2004

Examiner: Victor MacArthur

For: BREAKAWAY CONNECTOR

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

By Official Action mailed December 16, 2005 restriction to one of the following inventions is required:

Group I Claims 1-31, drawn to connector, classified in class 403, subclass 2.

Group II Claims 32-33, drawn to process for using a connector, classified in class 29, subclass 428.

In response, Applicants hereby elect Group I, upon which claims 1-31 are readable.

Restriction to one of the following species of the claimed invention is further required:

Species I: Embodiment of the invention as shown in Figs. 1-4, 5A, 6A, 8A
 10A, 10B, 16

Species II: Embodiment of the invention as shown in Fig. 5B, 6B

Species III: Embodiment of the invention as shown in Fig. 5C, 6C, 8B

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- Species IV: Embodiment of the invention as shown in Fig. 5D, 6D
- Species V: Embodiment of the invention as shown in Fig. 7A, 7B
- Species VI: Embodiment of the invention as shown in Fig. 9
- Species VII: Embodiment of the invention as shown in Fig. 11
- Species VIII: Embodiment of the invention as shown in Fig. 12
- Species IX: Embodiment of the invention as shown in Fig. 13
- Species X: Embodiment of the invention as shown in Fig. 14
- Species XI: Embodiment of the invention as shown in Fig. 15
- Species XII: Embodiment of the invention as shown in Fig. 17

In response, Applicants hereby elect Species I, upon which claims 1-8, 10-17, and 20-31 are readable.

The *invention* election is made *with traverse* because the search and examination of the entire application can be made without serious burden. Inventions II and I are related as process of use and product used. In the relevant art, references often describe both the device's structure and process for using the device, as will be apparent to the Examiner upon conducting a search for prior art. Therefore, both Inventions I and II can be covered in a single search. Accordingly, Applicants respectfully submit that the search and examination of the entire application can be made without serious burden on the Examiner.

The *species* election is made *with traverse* because the Examiner has failed to follow proper USPTO practice and procedure.

Every requirement to restrict has two aspects:

(A) the reasons (as distinguished from the mere statement of conclusion) why the inventions as claimed are either independent or distinct; and

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(B) the reasons for insisting upon restriction therebetween. See MPEP, section 808 (emphasis added).

In this case, the Examiner has met none of the above requirements, merely alleging that the disclosed species are distinct. Accordingly, Applicants respectfully submit that the Restriction Requirement is not well grounded and should be at least rephrased.

In view of the above, withdrawal of the Restriction Requirement and consideration of all claims pending in the instant application are believed appropriate and therefore courteously solicited.

Early examination on the merits is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

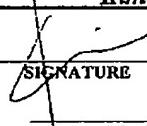
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